



09/020,063
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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/020,063	02/06/98	SMITH	S GS-7-A
EXAMINER			

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PM41/0127

BUTLER, D	PAPER NUMBER
ART UNIT	5

3613

DATE MAILED: 01/27/99

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

OFFICE ACTION SUMMARY

- ☒ Responsive to communication(s) filed on 2/6/98
- ☐ This action is FINAL.
- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 D.C. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three (3) month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

- ☒ Claim(s) 1-7 is/are pending in the application.
Of the above, claim(s) _____ is/are withdrawn from consideration.
- ☒ Claim(s) 1-2 is/are allowed.
- ☒ Claim(s) 3-7 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
- ☐ received in Application No. (Series Code/Serial Number) _____
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

- ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- ☒ Notice of Reference Cited, PTO-892
- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s) _____
- ☐ Interview Summary, PTO-413
- ☒ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Notice of Informal Patent Application, PTO-152

--SEE OFFICE ACTION ON THE FOLLOWING PAGES--

Art Unit: 3613

DETAILED ACTION

1. Note the attached Form PTO-948 concerning the drawings.
2. All the prior art from the parent applications has been considered.
3. The prior art listed by applicant in Paper No. 4 filed on February 6, 1998 has been considered and made of record by way of applicant-submitted Form PTO-1449 (copy enclosed for applicant's files).
4. Note that claim 3 depends on claim 5.
5. Claim 4 depends on claim 6.
6. The Abstract of the Disclosure is objected to because of the presence of legal terms such as "said" and/or "means". Correction is required. See M.P.E.P. § 608.01(b).
7. Claims 1-2 are allowed. Instant claims 1-2 appear to correspond to claims 5-6 which were allowed in the parent application.
8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

Art Unit: 3613

9. Claims 3-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Nakashima et al.(832) or Buma et al.(935) or Okuda et al.(162), made of record on Form PTO-1449 submitted by applicant.
10. Claims 3-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Shimizu et al.(068) or Shimizu et al.(701) or Ohtagaki et al.(554), made of record on Form PTO-1449 submitted by applicant.
11. Claims 3-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Takehara et al.(812) or Bazergui(392) or Miyata(116), made of record on Form PTO-1449 submitted by applicant.
12. Claims 3-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Sugasawa(194) or Sato(681) or Eddy, Jr.(675) or Asami et al.(143), made of record on Form PTO-1449 submitted by applicant.
13. Claims 3-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Kumagai et al.(477) or Majeed(157) or Fukushima et al.(558), made of record on Form PTO-1449 submitted by applicant.
14. Claims 3-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Ema(849) or Achenbach(860) or Yokote et al.(427), made of record on Form PTO-1449 submitted by applicant.

Art Unit: 3613

15. Claims 3-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Nakamura et al.(089) or Yamaoka et al.(488) or Campbell et al.(173), made of record on Form PTO-1449 submitted by applicant.

16. **COMMENTS INTENDED TO ADVANCE THE PROSECUTION:**

It is notoriously old to stiffen or alter a shock absorber or suspension or plurality of such components in response to turning of the wheels or steering wheel in order to prevent roll, pitch and yaw of the vehicle.

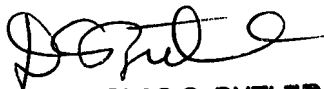
Reconsider the undue breadth of claims 3-7.

17. Claims 3-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Tokunaga et al.(4564214) or Tanaka et al.(4613154) or Kanai et al.(4616163) or Sugaw(4652010).

See at least the Abstracts of the applied patents in order for applicant to better appreciate the scope of claims 3-7.

18. Claims 3-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Tanaka et al.(4697237) or Ikemoto et al.(4797823) or Yasuike et al.(480³627) or Ikemoto et al.(4807128) or Ikemoto et al.(4765649).

19. Any inquiry concerning this communication should be directed to Examiner Butler at telephone number (703) 308-2575.


DOUGLAS C. BUTLER
PRIMARY EXAMINER
AU 3613

1/25/99